

Providing some protection for R.I.'s tobacco money

Although some may view

John H. Munley as a spigot whose jet of water never ends or slows,

review by my office. Any agreement – every agreement – requires conditions of the parties who have reached it. The funds generated by these

**GUEST
COLUMN**
Patrick C. Lynch

¹³ It is incumbent upon me to determine if the sale of these bonds is legal. Every bond sale by the state requires a legal

review by my office.

Any agreement—~~en~~—requires co-operation between the parties who have entered into it. The funds generated by these bonds are linked to the mark 1998 settlenee's settling states and manufacturers, as indicated in the Master Settlement Agreement (MSA). The MSA is different from any agreement in this respect.

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It's my job to slash through the technicalities and, ultimately, make the promise that the state of Rhode Island is continuing to comply with the terms of the MSA because, absent such compliance, the spigot could be turned off. And if we think we have budget problems now, we should try to imagine how magnified they would be without this funding.

I had and still have concerns

money. Again, my role is to make sure that the wording of the bond document properly memorializes our state's obligations and efforts under the MSA.

It took months for the parties to draft, redraft, and rewrite again the numerous complex legal documents related to this almost \$200 million dollar bond sale. For the sake of the taxpayers and the bondholders, it was important to get this sale right. As the state's chief legal adviser,

other. Until it was revised last Tuesday, the opinion letter that had been offered for my signature lacked precision about the MSA. Important revisions have now been made, however, and I believe Rhode Islanders are better protected than they had been previously. As a result, I have signed the document. ■

Patrick C. Lynch In short, it is incumbent upon me to determine if the sale of these bonds is legal. Every bond sale by the state requires a legal

scale — over its life, the MSA involves hundreds of billions of dollars — and also in that the conditions it requires Rhode Island to fulfill, in order to ensure that it continues to receive money, are

about how both the legislature and the governor intended to spend the MSA money and how the final budget prioritizes the way it will actually be spent. But I am not the gatekeeper of this

I had to review all of these documents before I could sign a complex legal opinion that not only analyzed these documents, but also analyzed how the MSA and the documents related to each other.

article is adapted from a statement he issued last week after signing a letter that effectively releases tens of millions of dollars to be used to finance shortfalls in the state's budget.